

Residential Tenancies Board

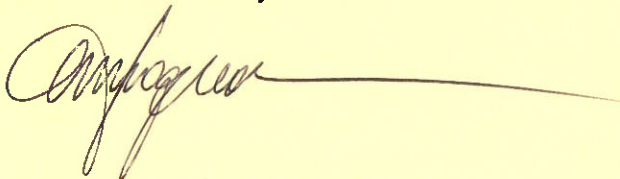
Determination Order

Ref: DR0822-78904 / DR0822-79278

In the matter of Mark Delaney [Applicant Tenant] and Ocp Belgrave 11 Limited Partnership c/o Grayling Property Management [Respondent Landlord], the Residential Tenancies Board, in accordance with Section 121 of the Residential Tenancies Act, 2004, determines that:

1. The Notice of Termination with a date of service of 15 June 2022 served by the Respondent Landlord on the Applicant Tenant, in respect of the tenancy of the dwelling at 31 Victoria Street, Dublin 8, D08X5X8, is valid.
2. The Applicant Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 90 days of the date of issue of this Determination Order.
3. The Applicant Tenant shall pay the total sum of €2,474.25 to the Respondent Landlord, by way of 15 consecutive instalments at the rate of €160 per calendar month, on or before the 28th day of each month, followed by one further instalment of €74.25 in the immediately succeeding month commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €2,474.25, in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €2,474.25 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Applicant Tenant to the Respondent Landlord, on each due date, until such time as the total sum of €2,474.25 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the monthly instalments shall act to cancel any further deferral and the balance due at the date of default of any such monthly payment shall immediately become due and owing to the Respondent Landlord.
6. The Applicant Tenant shall continue to pay any further rent outstanding to the Respondent Landlord from 14 February 2023, being the date of the Adjudication Hearing, at the rate of €1,194.00 per month, or proportionate part thereof at the rate of €39.25 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement, for each month or part thereof, until such time as the above dwelling is vacated by the Applicant Tenant and any other persons residing therein.
7. The Respondent Landlord shall refund the security deposit of €1,150 to the Applicant Tenant, upon the Applicant Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 13 September 2023.



Emilia Zagrean

Higher Executive Officer

Duly authorised to sign on behalf of the Director